

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CORY A. RESH,

Plaintiff,

v.

JODY BORTNER, et al.,

Defendants.

CIVIL ACTION
NO. 16-02437

ORDER

AND NOW, this 21st day of November, 2016, upon consideration of Defendants' Motion for Judgment on the Pleadings (ECF No. 17), Plaintiff's Response (ECF No. 20), and Defendants' Reply (ECF No. 21), it is hereby **ORDERED** that the Motion is **GRANTED** and judgment is entered in favor of Bortner without prejudice to Resh's right to pursue a derivative action in the appropriate forum.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.